

Docket No.: 4456-0106PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Yukihide IWAMOTO et al.

Application No.: 10/566,362

Confirmation No.: 3478

Filed: December 28, 2006

Art Unit: 1633

For: METHOD OF CONSTRUCTING
ARTIFICIAL JOINT

Examiner: I. POPA

REQUEST FOR REFUND

MS 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I. **REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 on June 22, 2010, for the above-identified

☒ application ☐ patent

☐ A copy of the monthly statement is enclosed.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	
<input type="checkbox"/> search fee	
<input type="checkbox"/> examination fee	
<input type="checkbox"/> surcharge for filing the basic filing fee or oath/declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	
<input checked="" type="checkbox"/> extension of term	
<input checked="" type="checkbox"/> first month	65.00
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> fifth month	
<input type="checkbox"/> excess claims	
<input type="checkbox"/> issue fee	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input type="checkbox"/> Other	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
TOTAL REFUND REQUESTED	\$65.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

A Small Entity Status Assertion was filed in the present application on February 17, 2006. On June 22, 2010, Applicants representative paid a one month extension of time fee for a large entity when in fact small entity fees were due.

IV. REFUND OF 50% OF FEES

- ☒ enclosing a copy of the written Assertion of Small Entity Status
☐ filed herewith
☒ filed on February 17, 2006

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$65.00 be credited to Deposit Account No. 02-2448.

VI. REMARKS

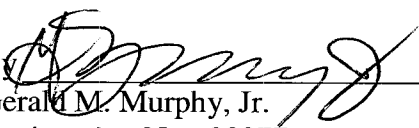
Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Filing Fee. Small entity status has been established by the filing of a written assertion/statement on February 17, 2006.

Small entity applicants may file the necessary Statement within three (3) months of the date of payment of any particular fee and request a refund. The present application qualifies for the reduced fees as implemented by the U.S. Patent and Trademark Office on October 1, 1982, and further amended on January 20, 1983 and September 8, 2000.

Favorable action on the present Request is respectfully requested.

Dated: JUL 21 2010

Respectfully submitted,

By 
Gerald M. Murphy, Jr.
Registration No.: 28977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

Attachment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yukihide IWAMOTO et al.

Application No.: 10/566,362

Confirmation No.: 3478

Filed: January 30, 2006

Art Unit: Not Yet Assigned

For: METHOD OF CONSTRUCTING ARTIFICIAL
JOINT

Examiner: Not Yet Assigned

ASSERTION OF SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

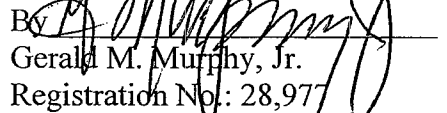
Sir:

The above-identified application qualifies for small entity status. This written assertion of small entity status should satisfy the requirements of 37 C.F.R. § 1.27.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: FEB 17 2006

Respectfully submitted,


By _____
Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant